

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CONSTANTINE L. JACKSON,
Plaintiff,

v.

05-CV-1393

ONONDAGA COUNTY; ANTHONY CALLISTO, JR.,
Chief Custody Deputy, Onondaga County Jail; and
CHERYL SPINA, Deputy, Onondaga County Jail,

Defendants.

THOMAS J. McAVOY
United States District Judge

DECISION and ORDER

This matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. George H. Lowe, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

The Report-Recommendation dated January 8, 2008 recommended that the Defendant's motion for summary judgment be granted and Plaintiff's complaint dismissed in its entirety with prejudice. Plaintiff filed objections to the Report-Recommendation, essentially raising the same arguments presented to the Magistrate Judge.

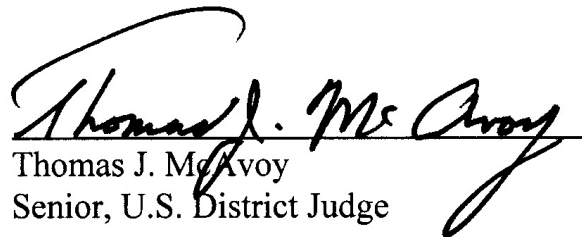
When objections to a magistrate judge's Report-Recommendation are lodged, the Court makes a "*de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." See 28 U.S.C. § 636(b)(1). After such a review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The

judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.” Id.

Having reviewed the record *de novo* and having considered the issues raised in Plaintiff’s objections, this Court adopt the recommendation of Magistrate Judge Lowe for the reasons stated therein. Defendants’ motion for summary judgment is GRANTED and Plaintiff’s Complaint is DISMISSED.

IT IS SO ORDERED.

March 20, 2008


Thomas J. McAvoy
Senior, U.S. District Judge